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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,512	04/20/2006	Akira Matsuki	09812.0757	3760
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EXAMINER RUTLEDGE, AMELIA L.				
ART UNIT		PAPER NUMBER		
2176				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/576,512

Applicant(s)

MATSUKI ET AL.

Examiner

AMELIA RUTLEDGE

Art Unit

2176

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the following communications: Amendment, filed 02/25/2009.
2. Claims 1-5 are pending. Claims 1 and 5 are independent claims.
3. Claim 1 has been amended to overcome the previous objections directed to minor informalities in the claim.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Independent claims 1 and 5 have been amended to recite "A mobile recording medium manufactured specifically for an event..." however, the claimed "mobile recording medium" is not described in the specification, based on a text search and review of the specification.

For example, it is unclear whether the claimed "mobile recording medium" corresponds to the camera or CD-ROM disclosed in the specification, p. 3-5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renie, U.S. Patent No. 5,655,053, issued August 1997, in view of Iseki et al., ("Iseki") U.S. Pub. No. 2002/0007311 A1, issued January 2002.

Regarding independent claim 1, Renie teaches *a mobile recording medium manufactured specifically for an event creating an original electronic album of the event, the recording medium comprising:*

material information including at least one of text, image, audio, and map relating to the event; because Renie teaches a system for producing customized video recordings for an event, for example a day at an amusement park, by inserting personalized video recordings of the customer within a preshot film of an attraction (Abstract; col. 3, l. 20-col. 4, l. 18; col. 5, l. 6-24; col. 7, l. 35-col. 8, l. 54). Renie teaches a mobile recording medium because Renie discloses that camera movement can be accomplished by installing cameras on the amusement park ride vehicles (col. 6, l. 54-65), and Renie discloses a camera, monitors, and video recording formats (col. 9, l. 5-39)..

Renie suggests but does not explicitly teach *a program which, when executed by a processor, causes a system to: automatically process situational information, including the location, date, and time, of the event, and associate the situational information with the material information; and*

automatically or selectively display those material information associated with the situational information, because Renie teaches automatically processing situational

information such as which rides were visited. However, Iseki teaches an electronic service site for a digital album (par. 0035-0038), where situational information can be recorded with an image prepared by the user (par. 0058; 0065; 0100; 0103). Iseki teaches processing the location, date, and time of the event and associate the situational information with the material information (Figs. 11; 13, 14; 19; 23; p. 4, par. 51-58, especially par. 58 which discloses automatically processing situational information).

Both Renie and Iseki are directed to the recording and storage of image data. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system for producing customized video recordings for a sightseeing spot disclosed by Renie, with the image editing and storage system disclosed by Iseki, in order to allow users of the system flexibility in storing and accessing their recorded image content, as well as providing third part access to the content (Iseki, par. 0006).

Regarding dependent claim 2, Renie teaches that a *plurality of opening videos*; because Renie teaches automatically inserting personalized video segments into pre-recorded stock footage of rides and attractions as well as other stock material on the tape such as special events, parades, etc. (col. 8, l. 6-31).

Regarding dependent claim 3, Renie teaches automatically inserting personalized video segments into pre-recorded stock footage of rides and attractions as well as other stock material on the tape such as special events, parades, etc. (col. 8, l. 6-31).

Renie does not explicitly teach *wherein the system displays an opening video associated the situational information and automatically displays, thereafter, images and the like prepared by the user in a chronological order*, because Renie does not disclose that the images are prepared by the user; however, Iseki teaches an electronic service site for a digital album (par. 0035-0038), where situational information can be recorded with an image prepared by the user, and users can store their images in a digital album in chronological order (par. 0058; 0065; 0100; 0103).

Both Renie and Iseki are directed to the recording and storage of image data. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system for producing customized video recordings for a sightseeing spot disclosed by Renie, with the image editing and storage system disclosed by Iseki, in order to allow users of the system flexibility in storing and accessing their recorded image content, as well as providing third part access to the content (Iseki, par. 0006).

Regarding dependent claim 4, Renie does not explicitly teach *an ID (identification number) wherein the ID enables the system to receive updates via a network for the recording medium, thereby updating the recording medium with the newest material information*; however, however, Iseki discloses an ID for images and the recording medium, for use for providing information and updates via a network, the internet (par 0035-0038; 0051; 0058-0060).

Both Renie and Iseki are directed to the recording and storage of image data. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system for producing customized video recordings for a sightseeing spot

disclosed by Renie, with the image editing and storage system disclosed by Iseki, in order to allow users of the system flexibility in storing and accessing their recorded image content, as well as providing third part access to the content (Iseki, par. 0006).

Regarding dependent claim 5, Renie teaches *an electronic album creating apparatus for creating an electronic album relating to an event*, because Renie teaches a system for producing customized video recordings for an event, for example a day at an amusement park, by inserting personalized video recordings of the customer within a preshot film of an attraction (Abstract; col. 3, l. 20-col. 4, l. 18; col. 5, l. 6-24; col. 7, l. 35-col. 8, l. 54).

Renie does not explicitly teach *the apparatus comprising: a storage medium storing images captured by a user and situational information, including the location, date, and time, of the event, either automatically recorded with the images or directly provided by the user*; because Renie does not teach that the images are captured by a user. However, Iseki teaches an electronic service site for a digital album (par. 0035-0038), where situational information can be recorded with an image prepared by the user (par. 0058; 0065; 0100; 0103). Iseki teaches processing the location, date, and time of the event and associate the situational information with the material information (Figs. 11; 13, 14; 19; 23; p. 4, par. 51-58, especially par. 58 which discloses automatically processing situational information).

Renie teaches *a mobile recording medium manufactured specifically for the event, wherein the recording medium includes: material information including at least one of text, image, audio, and map relating to the event*; Renie teaches a mobile

recording medium because Renie discloses that camera movement can be accomplished by installing cameras on the amusement park ride vehicles (col. 6, l. 54-65), and Renie discloses a camera, monitors, and video recording formats (col. 9, l. 5-39).

Renie does not explicitly teach *a program, which when executed by a processor, causes a system to: automatically process those situational information relating to the event, and associate the situational information with the material information; and automatically or selectively display those material information associated with the situational information*; however, Iseki teaches processing the location, date, and time of the event and associate the situational information with the material information (Figs. 11; 13, 14; 19; 23; p. 4, par. 51-58, especially par. 58 which discloses automatically processing situational information).

Both Renie and Iseki are directed to the recording and storage of image data. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system for producing customized video recordings for a sightseeing spot disclosed by Renie, with the image editing and storage system disclosed by Iseki, in order to allow users of the system flexibility in storing and accessing their recorded image content, as well as providing third part access to the content (Iseki, par. 0006).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frohlich, et al., "Requirements for photoware", Copyright ACM 2002, Proceedings of the 2002 ACM conference on computer supported cooperative work, p. 166-175.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **AMELIA RUTLEDGE** whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/
Primary Examiner, Art Unit 2176